

If you want to-day's News, to-day you can find it in THE STAR

THE HAWAIIAN STAR.

The Hawaiian Star is the paper that goes into the best homes of Honolulu

VOL. VIII.

HONOLULU, H. I., THURSDAY, AUGUST 8, 1901.

No. 2931

PRIEST ANSWERS BISHOP

USBORNE REPLIES TO WILLIS' "BULL."

A Full Statement of the Anglican Church Controversy—Is an Appeal to The American Church.

Rev. John Usborne has just issued another pamphlet in the long drawn out controversy with Bishop Willis. It is entitled, "A Refutation of the Charge of Apostasy Made by the Bishop of Honolulu against the Rector of Honolulu and the Trustees of St. Clement's Chapel, Honolulu."

While it contains much that has already been published by Mr. Usborne, it contains much not heretofore published, and is apparently a complete collation of all or most of the correspondence between the Bishop and Mr. Usborne and his co-trustees in St. Clement's, with such explanatory statements as give a complete view of the controversy from Mr. Usborne's standpoint.

The pamphlet is illustrated with photo-engravings of the property of St. Clement's as it appeared at various times since it was first erected. The pamphlet is called out by Bishop Willis' two official documents dated February 27, 1901, and March 4, 1901, respectively, in which Rev. John Usborne is advertised to the Anglican communion as having separated himself from the communion of the Anglican church and made himself the founder of a new sect; and that the Church Defence and Extension Association was organized for the defence and extension of a schismatical body and not of the church.

The pamphlet is really addressed to the Protestant Episcopal church in America, her bishops and other clergy, and her laity, and is an appeal for relief from what is described as the intolerable conditions under which the church and her children exist in Hawaii owing to the administration of the diocese.

Mr. Usborne's contention maintained throughout the pamphlet is that he is legally the Rector of Honolulu; that as such and in conformity with what he believed, from the bishops' letters, were the bishop's views, the property of St. Clement's was bought, and the chapel built; that the property was put in the name of trustees for the Episcopal church at large for reasons justifying themselves to the donors and not repugnant to any canon of the church or duty to the bishop; that because of the incomplete and unauthorized organization of the Anglican church of Hawaii there is no certain law nor forum by which or wherein the rights of priests can be determined or defended against the acts or opinions of the bishop, so that in effect the bishop can do as he pleases, and the clergy, between himself and the priests, the bishop, Mr. Usborne insists, enforcing his own side of the controversy through the episcopal power thus undefined, drove him in March 1898 to a point where one of three courses of action were open to him:

1st. To leave the Diocese disgraced, although innocent of the violation of a single canon.

2nd. To invoke the law and continue to officiate in the Cathedral in defiance of the Bishop.

3rd. To open St. Clement's Chapel, and as Rector use it as his Parish Church until relief could be found.

He chose the last and on Easter morning, 1898, opened St. Clement's Chapel with the Holy Communion, and with a good congregation. And there he has regularly officiated since. In officiating at St. Clement's, Rev. Usborne insists that he does so as Rector of Honolulu to which he was duly instituted and inducted; and that though the bishop now claims he separated himself from the church by the words in the St. Clement's property deed in 1897, yet the bishop has in various ways and at various times since he had knowledge of that deed, acknowledged Mr. Usborne as a priest in communion with the church and not separated from it. And besides letters from the bishop quoted to show that the controversy is one solely over the ownership and control of property, the pamphlet lays stress on the matter in the following:

"It would seem strange that if Mr. Usborne had separated himself from the Anglican Church and founded a new sect in 1897, as the Bishop states, that the Bishop should in this letter of the 8th March 1899, have offered to acknowledge, and receive him into his Diocese, as a priest in good standing and license him to a Church."

"It is also strange that the Bishop should have allowed Mr. Usborne to officiate in the Cathedral up to March 1898, at which date Mr. Usborne was

(Continued to page five.)

MANY ERRORS IN HAWAII

TREASURY AUDITOR MAKES A REPORT.

Customs Collections Here Show Over a Thousand Mistakes During the Fiscal Year—The Reason.

The Hawaiian Islands appear for the first time in a United States Treasury Auditor's report, in the one just issued, and received here yesterday, covering the period ending with June 30, 1901. Customs, Internal Revenue and other federal work and expenses here and elsewhere are reviewed in a tabular form. Hawaii heads the list of errors in customs matters, being 500 per cent above the next highest port in this line. The report shows that during the year there were 313 vessels arriving at Hawaiian ports. There were 3,596 entries and 6,667 invoices. Under the head of errors the number given is 1,055. The next largest number of errors is Puget Sound, which has 192.

In Hawaii the errors resulted in overcollections amounting to \$1,629.35 and shortage of \$8,329.25. This means that importers were made to pay too much duty up to the former figure, by the local custom house, and that errors in collecting too little were made to the amount of \$8,329.25. The latter sum is still collectable, if the figures can be found and are good. The figures are the results of the work of the department at Washington which reviews all appraisements as they are made.

The errors are attributed to the organization of a new bureau, under a system with which those in charge were not familiar. It is anticipated that next year will make a very different showing, as the men here have now had a year's training in the complicated science of looking after enforcement of the customs laws. The errors were made in the appraisement of various importations.

Throughout the United States the amount of errors, as shown by the auditor's report was \$3,866.25 over and \$23,484.01 short. Hawaii has a third of the overcollection and a quarter of the shortage of the entire country.

Other items in the report dealing with the islands are the payment of the debt, \$37,227.88; quarantine service for the Territory of Hawaii, \$21,714.12; enforcement of the Chinese exclusion law, Hawaiian Islands, \$8,693.13. In the rest of the country the expense of enforcing the exclusion act was \$129,715.85.

MAIL DELIVERY.

The Difficulties in the Way to be Overcome.

The eligible list for letter carriers has been announced. The assistant general superintendent of free letter delivery is here. And free mail delivery may soon be expected.

The eligible list for the postal service as the result of the civil service examinations held July 5 and 6 is as follows:

Clerk's list: Miss Edith A. Miller, 82.20 per cent; Rose M. Kelley, 79.73. Carrier's list: Robert S. Pearson, 85.92 per cent; Francis M. McGrew, 78.03; Frank R. King, 77.67; Edward W. Cyrus, 75.45; William McCoy, 75.17; George T. Bennett, 72.83; Zachariah McKean, 70.95; Nicholas K. Hoopli, 70.07; J. B. Sabate, 70.00.

RESIGNED AS MANAGER.

W. Chauncey Wilder's resignation from the office of manager of Wilder & Company has been accepted and yesterday he left the business.

The heirs of the late S. G. Wilder own a large majority of the stock in the Company. A small proportion of the stock is held outside. By an arrangement made years ago W. C. Wilder was made manager of the company for life. Upon his death the agreement lapsed and a new manager was made necessary. W. Chauncey Wilder was elected manager for six months, taking office July 13. A difference of opinion arose as to the relations of the directors and the manager, and the manager resigned. No one has as yet been chosen to fill the vacancy.

THE WEATHER.

Weather Bureau, Punahou, 1 p. m.: Wind light southeast to northeast; weather cloudy; some appearance of rain in a day or two.

Morning minimum temperature, 70; midday maximum temperature, 81; barometer, 9 a. m., 29.92 falling (corrected for gravity); rainfall, 24 hours ending 9 a. m., .03; dew point, 9 a. m., 68; humidity, 9 a. m., 71 per cent.

CURTIS J. LYONS, Observer.

HOUSES GOING UP.

Purchasers in College Hills are beginning to build; three residences are in course of construction, another begins next week. Plans for others are in the hands of local architects.

ICE HOUSE DELICACIES.

Camarinos California Fruit Market is the place for ice house delicacies. Everything the California market affords at this season of the year can be found at Camarinos'.



Do You Keep a Dog?

We have just received a fresh shipment of Dog Biscuits, also Mange Cure and Sud-dry.

PEARSON & POTTER CO., LTD.

926 Fort Street, Tel. Main 317.

MAGNETIC STATION NEXT

PROF. J. A. FLEMING ARRIVES TO ESTABLISH IT.

Will be Located near the Beach West of Waimanalo Forest in Ewa—Work At Once.

Prof. John A. Fleming, of the Coast and Geodetic Survey, arrived by the Sierra yesterday and registered at the Hawaiian hotel. He came here for the purpose of establishing and operating a magnetic station for the department. The station will be permanent, and Prof. Fleming will have charge of it for at least a year.

The plans for the station were prepared by Prof. Bower when that official was here over a year ago. It will be located near the sea west of Waimanalo forest near Barber's point, at Turner's beach place. Prof. Bower considered this the best location on this island. There all the instruments will be set up and all the paraphernalia of a magnetic observatory established.

Prof. Fleming left this morning by the early train for the site of the proposed station. He will remain during all day and will return tomorrow. Until the station is established his headquarters will be at the Hawaiian hotel. Before coming to Honolulu Prof. Fleming was stationed in Alaska where he operated a station similar to the one to be established here. He was ordered by the department from Alaska to Honolulu.

Work on the station will begin as soon as the contractors can figure on it. Fleming expects to be able to let the contract tomorrow and to have operations start without delay. Building will be rushed with all reasonable speed and within a few weeks the station will be occupied.

A NEW ATHLETIC CLUB

A meeting will be held this evening for the organization of an amateur athletic club, to be known as the Oahu Athletic Club. A number of local men have signed the petition to join the club, and it has a prospect of starting with a good membership of well known people. The meeting will be held in an upstairs hall opposite the Oahu railway depot on King street, the hall having been rented for the purpose.

The members of the Oahu club have already begun to fix up the clubhouse with punching bags, baths, athletic apparatus of all kinds and to have a first class amateur athletic club as soon as arrangements can be perfected. The organization of the club will probably soon put another baseball team in the field and football teams as well, and there is expected to be a strong organization ready to take the field in such matters in the near future. About 80 local men have agreed to join. This evening it is proposed to complete organization and probably elect directors and officers.

J. S. Fox, formerly of the Reliance Club, Oakland is to be the instructor in the new club. He is a well known boxer and his training in the Reliance Club, one of the two big organizations about Frisco that compete with California and Stanford universities, has given him the knowledge of how to conduct the affairs of such a club.

It is the intention of the club to give monthly exhibitions for members only, and there will be boxing bouts between those who take up this form of exercise. The police are willing to allow such contests, under proper rules.

JAPANESE LEAVING CITY.

Former Laborers Returning to the Plantations.

Japanese are leaving the city for the plantations. The exodus became quite noticeable a month ago, and has increased since. Indications now are that the Jap population of Honolulu will soon be down to a normal figure.

Following annexation, thousands of Japanese came to the city. They had money and were given employment, and they have found out, however, that a city is not all it is cracked up to be. The employment agencies on King and Merchant streets advance three causes for the exodus. First of all is that there were more Japanese here than could be given employment; second, higher wages are being paid on the plantations than in the days of the contract system; third, the fear that other Japanese, Porto Ricans and negroes will come in and shut out the possibility of their getting back on the plantations. The Japanese in Honolulu have always presumed that they had plantation work waiting for them, but the story that 5,000 additional Japs were coming has probably caused them to think a little.

A feature of the situation is that the women are also going to the plantations. Whether or not this means an ill-will for each sugar estate is not yet apparent.

FINED FOR FAST DRIVING.

F. H. Loucks was fined \$25 and costs this morning by Judge Wilcox for fast driving. Loucks claimed that a friend was driving his horse and the animal became unmanageable until he, Loucks, took the lines and calmed the horse. An appeal was taken by F. M. Brooks attorney for the defendant.

GOT THE BEST OF IT.

In selecting a stock of goods care should be taken to get a large variety as possible and in this respect, we were fortunate. See Beal's wall paper ad.

NEW SHIRTS.

L. B. Kerr & Company have just unpacked 25 cases of the most up to date goods in Men's White and Negligee shirts. This lot comprise the very newest ideas in New York. They are being sold with the other goods at Fair Prices.

The Customs Tariff Act of 1897 with alphabetical schedule, revised up to July 1st, 1900—an indispensable book for all importers, just received and for sale by the Golden Rule Bazaar.

APPLICATIONS FOR LAND

WAIANAE PLANTATION WANTS A LEASE.

Executive Council Will Lease About 15,000 Acres for \$12,000 a Year—Wise Gets Kau Land.

An application was received by the Executive Council today from Waianae Plantation, for permission to lease part of the Luaiwai lands at Waianae, for cane land. There are about 15,000 acres of land in the tract. It was decided by the council that the land should not be leased except as a whole, and that it should be offered at an upset price of \$12,000 a year. The Waianae company will be notified of these terms.

Another application for a lease was received from J. H. Wise, who wanted to lease the Maunakaa plot, Kau, for five years at \$60 a year. His application was approved.

Superintendent of Public Works Boyd read the report of Assistant Campbell on the right of way of the Kila-Kohala railway, approving the route selected. The council also approved the route.

Agricultural Commissioner Wray Taylor notified the council that he was going to send Forester Haugs to Hamakua next week, to investigate the recent forest fire. His report will be presented to the council and will result in planting of new trees.

BENEFIT SOCIETY WINS

The Supreme Court this morning decided the suit of Mrs. Virginia Gomes against the Portuguese Mutual Benefit Society of Hawaii, sustaining the lower court in finding for the defendant. Chief Justice Fear, Justice Gairbraith and L. A. Andrews sitting for Perry, disqualified, gave the decision. The action was brought to compel the society to pay benefits due to the late husband of the plaintiff, in spite of a note for \$400 owed to the society by plaintiff.

Gomes was taken ill in April, 1899, when he was a member of the society. He was allowed his choice of several kinds of benefits, and chose to remain at home and let the society pay his medical attendance, medicine expenses and give him 50 cents a day, rather than send him to a hospital and pay his expenses there, and enough more to make the total \$1.25 per day.

After staying at home for a time Gomes decided to go to a hospital and have an operation. The society advanced \$400, as the case was urgent, on a note of the husband and wife, to pay for the operation, and after Gomes died the widow sued for the full sum of benefits due, not deducting the note. Judge Humphreys held that in going to the hospital Gomes changed the character of benefits to which he was entitled and the case was thrown out of the Circuit Court.

The Supreme Court affirms the decree of the lower court and declares that under the constitution of the society the widow has no right to more than the amount of the hospital class of benefits. It is stated that the minutes of the meetings of the society show the case to have been looked after in good faith and the \$400 advanced with the full understanding that it would be paid back. The society owes Mrs. Gomes \$899, which it is willing to pay, less the \$400. W. W. Whiting, W. J. Robinson and J. M. Vivas were for the plaintiff and J. T. de Brito for defendant.

SHOT CHICKEN THIEF

One of the most daring chicken thieves in Honolulu now lies at the point of death at the Queen's Hospital from the effects of a wound received while trying to rob the chicken houses of an Italian in Kalihi at an early hour this morning. Chick Sing is the name of the Chinese chicken thief, and the man who shot him is Giliante Virginia.

The Italian lives on King street just east of Smith's stables. The chicken houses of Virginia were robbed several nights ago. About 2 o'clock this morning he heard noise in the chicken house and went out to investigate with a shotgun. Sing started to run and the Italian discharged one barrel hitting the fellow in the left arm. Owing to the lantana, Virginia was unable to follow the Chinese. The latter made his way to the Queen's Hospital and claimed that he had been waylaid by several men who shot and knifed him and then stole \$10.00 from him. The police learned of the case and Detective Dan Kapua at once recognized the injured man as a notorious chicken thief, who was recently committed to the circuit court to answer to a charge of stealing chickens from George Lucas.

Detective Kapua investigated the case further and learned how the Chinese came to be shot. The arm of the Chinese was amputated and this afternoon it was thought he would not survive the operation, owing to being so weak from loss of blood. Virginia was released on his own recognizance. Chuck Sing has it is said, robbed many chicken houses in Kalihi and Palama.

PASSENGERS.

Departing. Per S. S. Sierra, August 8 for the Colonies—Dr. and Mrs. R. P. Myers, S. M. Fox.

A lame shoulder is usually caused by rheumatism of the muscles, and may be cured by a few applications of Chamberlain's Pain Balm. For sale by all dealers. Benson, Smith & Co., general agents, Hawaiian Islands.

SEMI-WEEKLY STAR.

Honolulu people who are going abroad can have the Semi-Weekly Star mailed to any address for the small sum of twenty-five cents a month. The Semi-Weekly Star contains all the local news of importance, besides the daily stock quotations are published.

SEAMLESS SHOES.

L. B. Kerr is making a specialty of Nettleton's seamless shoe for men. See display in window corner Fort and Hotel streets.

A HALL SPENDTHRIFT TRUST

HIS AUNT ASKS THAT ONE BE CREATED.

Case Against Winam Being Argued. Sister Albertina Against Kapiolani Estate Still Being Heard.

Application was made this afternoon by petition to Judge Gear to have William W. Hall declared a spendthrift and a trust created to look after his property. The application was by his aunt, Mrs. Fahlbehr. Hall is the young man who has a hundred thousand dollar estate which he knows little about and says he would spend on hacks and beer and gambling.

The case of Hall against C. Winam was argued at noon today before Judge Gear, by Hartwell and McLanahan. In the divorce case of Kapiolani vs. Holomona Kumalea, Judge Gear granted the plaintiff a divorce, her husband having deserted her. A judgment for \$50 was also given.

The case of Sister Albertina trustees, against the Kapiolani estate was before Gear this morning and afternoon. A disclaimer was filed by A. T. Atkinson who has occupied a part of the land in dispute, since the death of Queen Kapiolani. He states that he makes no claim to a title to any of the land and tenders to the court \$332 due for rent.

VESSELS NOT WATCHED

The libel case of McNerny against the bark C. D. Bryant was submitted to Judge Esteé this morning for decision. The libellants made the charge that the destruction of property was due to carelessness on the part of the officers and owners of the vessel, and base their claim for damages largely on the custom, which is common to many vessels in Honolulu harbor, of leaving the vessel without a watchman, or crew watch.

The C. D. Bryant, had no watchman on the night of the fire, according to testimony introduced, and no member of the crew was on watch. There was an open hatch and some flour which it is claimed that if there had been a watchman he would have reported the fire soon enough after it started to prevent a bad blaze.

Silliman for the plaintiffs and Bigelow for the owners of the bark made very strong arguments before Esteé, and submitted a long list of authorities. The case is of importance as settling the rule here in such matters, and Judge Esteé's decision is awaited with much interest by shippers generally. There are many vessels that lie at docks here without a watchman and if the present results in a decision against the C. D. Bryant, there will be some jobs for patrolmen on the front. Both attorneys have a long list of authorities and will submit briefs in a few days.

It is contended by the defense that the rule of "general average" should be followed in determining amounts to be recovered by those who lose in the fire. This would mean that the losers should get back only their pro rata of what was received from the sales of the goods after the fire, standing the loss themselves.

The case of Pearson and Potter against the C. D. Bryant, an action for libel on account of the same fire, will be heard after the decision in the McNerny case, as both cases depend upon the same contentions. Andrews, Peters & Andrade appear for the libellant.

SIERRA FOR THE COLONIES.

The Sierra got away about 11 o'clock this morning for the Colonies. She had been scheduled to sail at 9 a. m. but owing to there being considerable freight to discharge she was delayed. Considerable credit is due the Oceanic people and the officers of the Sierra for getting their vessel away from San Francisco on time. In order to accomplish it in the face of strong opposition on the part of strikers, an entirely non-union crew had to be shipped in the fire room. Captain of Harbor Police Harry Flint was kept busy watching the vessel to prevent any of the crew jumping her here. He did his work well and that she was able to clear within reasonable time for the Colonies was due in no small way to his ability to keep the men aboard. Among those who left on the Sierra, were Dr. and Mrs. R. P. Myers who will pass several months in the Colonies.

E. O. HALL'S SAFE.

E. O. Hall & Son opened their safe vault under the burned building yesterday and found their papers and books undamaged. The firm is open for business in its new Fort street office, and is filling orders as usually, from its warehouse stock.

Ladies' French dancing slippers at McNerny's Shoe Store, something entirely new.

ROYAL Baking Powder

Made from pure cream of tartar.

Safeguards the food against alkali.

Alum baking powders are the greatest menaces to health of the present day.

ROYAL BAKING POWDER CO., NEW YORK.

NEW SCHOOL FOR BOYS

LANDS OF WAIALEE AND THERE NEW USE.

Superintendent of Public Instruction and Commissioner of Lands to Visit Them Tuesday—Formal Transfer.

Next Tuesday the Superintendent of Public Instruction will make formal application to the Commissioner of Public Lands for the transfer to the school department for the purposes of an industrial school for boys of the public land known as the land of Waialee. This land is a tract of 774 acres on the line of the Oahu railroad between Waialea and Kahuku. The application for the land is made under the provisions of Section 122 of Chapter 10 of the Civil laws of 1897, and in conformity with the direction of the board of education at its meeting last Saturday.

A visit will be made to the land in question to examine it and prepare for its use for an industrial school. The visiting party will include Superintendent of Public Instruction A. T. Atkinson and T. H. Gibson of the Department of Education Land Commissioner E. S. Boyd, Acting Governor Cooper and perhaps some others. Governor Cooper has always taken a great interest in the subject of an industrial school for boys. E. A. Mott-Smith, formerly at the head of the school department may also make the trip.

The land in question is thus described by Allen Herber quoted by E. A. Mott-Smith in the report of the department of education for 1899:

"Waialee, Koolauloa district, area, 773 acres; present lessee, Oahu Railroad & Land Company; lease expires, 1901; annual rental, \$175.00. This valuable tract of land extends from the sea, where the land is about three-quarters of a mile wide, to a point half way up the mountain. From Kahuku Plantation it is distant about three miles in a westerly direction. Oahu Railway. Government road and telephone line crosses the land near the sea. On this land is a large fish pond and many taro patches, fed from springs on the land. Above the road toward the foot-hills is excellent land for small fruits and vegetables. Fishing, boating and bathing are excellent here also. This would be a splendid location for our industrial school."

It is proposed by the board of education to begin at once the work of preparing the land for the school. The land affords a variety of rough for all kinds of industries useful in training the boys sent to it.

The legislature appropriated \$15,000 for buildings and improvements for the industrial school and \$10,000 to transform the present boys reform school into a suitable industrial school for girls.

WAIALUA SAILED YESTERDAY.

The schooner Waialea sailed for Kahului yesterday afternoon. Captain Charlie the master of the Mokihana which had to return after an unsuccessful attempt to reach Kahului was unable to take command of the Waialea as he felt in such a good natured condition his employer thought it would be a shame to take so much good cheer to sea. Charlie was left behind to sober up.

ANDREW WELCH ALL RIGHT.

The reports in the San Francisco papers to the effect that the American ship Andrew Welch had a narrow escape from going on the rocks near Montana Reef are said by local people to be entirely erroneous. The Welch made a remarkably quick run in 14 days from here and her captain, finding himself within a short distance of San Francisco, decided it would be cheaper to pay for a tow than to wait outside several days trying to enter San Francisco bay. He was not within five miles of rocks it is claimed.

VALUE OF LIFE INSURANCE.

No prudent, thoughtful, up-to-date business man today would neglect to carry some life insurance on his property as a safeguard in case of unexpected loss. He may to through life and perhaps never have a loss. This is not the case with life insurance. He is insuring against a loss that is certain to come to him sooner or later in life. The Provident Savings is a first class company. A. Newhouse, resident manager; office: 15-16 Progress Block.

Fine Job Printing, Star Office.

\$5.00



Isn't too much to pay for a pair of shoes when you know that you are getting your moneys worth. That's what we claim for this shoe. Made of Vici Kid and fitted with Rubber heels so as to make walking easy. Call for

The "Heywood"

MANUFACTURERS

THE SHOE COMPANY

DO NOT FORGET

To Make Your Will

Failure to do this has often caused hardship and injustice to those you wish to provide for. You may not think you are going to die very soon; but it is not wise to count upon this and postpone making a Will. We will assist you in drawing up your Will, and will keep it safe in our vaults, if we are named as Executor.

HAWAIIAN TRUST CO., LIMITED

923 Fort Street, Honolulu, H. I. Tel. Main 134.